

10/517113 Docket No.: LYBZ 2 00090

DECLARATION FOR PATENT APPLICATION

As the below named inventors, we hereby declare that:

Our residences, post office addresses, and citizenships are as stated below next to our names.

We believe we are the original, joint, and first inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

EVACUATING DEVICE

- ☒ the specification of which is attached hereto
- ☐ the specification of which was filed with the U.S. Patent and Trademark Office on _____ and accorded U.S. Application Serial No. _____.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Entry of PCT/EP2003/005136; Filed May 16, 2003.

**Priority German Patent Application No. DE 102 24 604.1;
Filed June 4, 2002 in Germany.**

We hereby claim benefit under Title 35, United States Code § 119(e) of any United States provisional applications listed below:

None

We hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112. We acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

None

We hereby appoint all attorneys associated with Customer No. 027885.

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Address all correspondence to:

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We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1-00
Full name of first joint inventor: Ralf ADAMIETZ

Inventor's signature: Ralf Adamietz

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2-00
Full name of second joint inventor: Roland BLUMENTHAL

Inventor's signature: Roland Blumenthal

Date: November 17, 2004

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3-00
Full name of third joint inventor: Dirk KALISCH

Inventor's signature: Dirk Kalisch

Date: November 17, 2004

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